

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JERRY GOFORTH,)
)
Petitioner,)
)
v.) Case No. 4:16 CV 458 RWS
)
JAY CASSADY and)
CHRIS KOSTER,)
)
Respondent.)

MEMORANDUM AND ORDER

This matter is before me on Petitioner Jerry Goforth's motion to "withdraw appeal" which I construe as a motion to voluntarily dismiss this matter. I referred this matter to United States Magistrate Judge Patricia L. Cohen for a report and recommendation on all dispositive matters pursuant to 28 U.S.C. § 636(b). On December 29, 2017, Judge Cohen filed her recommendation that Goforth's motion should be granted.

Objections to Judge Cohen's report and recommendation were due to be filed by January 12, 2018. As of the date of this order, no objection has been filed. As a result, I will grant Goforth's motion to dismiss this case.

Accordingly,

IT IS HEREBY ORDERED that Judge Cohen's report and recommendation filed on December 29, 2017 [45] is adopted and sustained in its entirety.

IT IS FURTHER ORDERED that Petitioner Jerry Goforth's motion to withdraw appeal [43] is **GRANTED**. This case will be dismissed without prejudice.

A separate Judgment in accordance with this Memorandum and Order is entered this same date.

Rodney W. Sippel
RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 19th day of January, 2018.